

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TATIANA WESTBROOK, an individual;
JAMES WESTBROOK, an individual;
HALO BEAUTY PARTNERS, LLC, a
Nevada Limited Liability Company,

Plaintiffs,

v.

KATIE JOY PAULSON, an individual;
WITHOUT A CRYSTAL BALL, LLC, a
Minnesota Limited Liability Company; and
DOES 1 through 100, inclusive,

Defendants.

NO. 2:20-cv-01606 BJR

SUPPLEMENTAL DECLARATION OF
KATHERINE PAULSON IN SUPPORT
OF DEFENDANTS' MOTION TO
DISMISS

Katherine Paulson declares as follows:

1. I am over the age of 18 and am named as a defendant in this action. I make this declaration based on personal knowledge.

2. I understand that Plaintiffs' lawsuit against me is based in part on videos I made during which I discussed facts regarding Tati's and James' lives before they became famous. That information included facts from public records regarding James' life in North Carolina,

1 South Carolina, Nevada, California, and Hawaii. It also included facts from public records
 2 regarding Tati's life in Washington before she moved to Los Angeles.
 3

4 3. I understand Plaintiffs now contend I used "Washington sources" to obtain
 5 information related to Tati's time in Washington and Tati's Washington relatives. This is not
 6 true. In the context of media and reporting, I understand the word "sources" to refer to persons
 7 who provide information relevant to the story. To my knowledge I had had contact whatsoever
 8 with any Washington resident in connection with developing or posting these stories. Nor did I
 9 travel to Washington or access any Washington records database. Instead, while in my
 10 Minnesota home, I obtained the electronic images of the relevant historical Washington records
 11 regarding James and Tati from two websites: Ancestry.com and MyLife.com. I was not
 12 specifically looking for "Washington" records or records from any particular state. Rather, I
 13 wanted to find whatever information I could, regardless of what state the information originally
 14 came from. It is my understanding that both of these websites are accessible globally and include
 15 information and records at least from all over the United States. In using these websites, I viewed
 16 electronic copies of the relevant records from numerous states, including North Carolina, South
 17 Carolina, Nevada, California, Hawaii, and Washington. The document images were on the
 18 website itself – to my knowledge they do not "link" to local websites in the various states where
 19 the originals of the records are stored.
 20
 21
 22
 23
 24
 25
 26
 27
 28
 29
 30
 31

32 4. In response to Plaintiffs' statement that YouTube channel operators can get data
 33 on where their subscribers live, I researched that matter and discovered that, during the period
 34 relevant to this lawsuit (May 2019 through October 2020), only .07% of my subscribers live in
 35 Washington.
 36
 37
 38

39 5. I have never directed by content at Washington State or done anything to develop
 40 or appeal to a Washington audience. My content is targeted at a global audience. In fact,
 41 approximately 40% of my viewers are from outside the United States.
 42
 43
 44
 45

1 6. Prior to this lawsuit being filed, I had been in contact over social media with Lori
2
3 Ann Barnhart on a few occasions. I did not know Ms. Barnhart was a resident of Washington. I
4
5 am unaware of the state of residence of most of my subscribers and viewers, because that
6
7 information is not important to me or my business. When I referred to Ms. Barnhart as my “best
8
9 friend,” it was not meant literally or even seriously. It was a lighthearted comment on the fact
10
11 that she had been a critic of mine and had turned into a supporter. I meant it as hyperbole, and I
12
13 believe the context makes that obvious to any reasonable person. I have had very limited
14
15 interactions with Ms. Barnhart, do not know her well, and do not consider her to be a friend at
16
17 all, let alone my “best friend.”

18 7. After Plaintiffs filed a declaration from Kim Fulmer, exposing irrelevant
19
20 personal details about Lori Ann Barnhart, Ms. Barnhart sent me several messages during a “Live
21
22 Stream” I held on December 29, 2020. Because she was not a subscriber to my channel, she paid
23
24 a small amount of money to send those messages, a total of approximately \$25 I believe.

25 8. I understand that Plaintiffs argue I “knew” that viewers of my channel were
26
27 Washington residents, and that they have identified a total of three very short “chat” messages
28
29 sent to me during my video broadcasts from people who identified that they were from
30
31 “Washington” or “Seattle.” Plaintiffs do not even suggest those videos are related in any way to
32
33 this lawsuit. I receive hundreds of comments and chat messages during each one of my video
34
35 broadcasts. I do not keep track of where each particular chat or comment comes from, nor can I
36
37 recall when I acknowledged one person as a “Washingtonian,” out of the thousands of comments
38
39 and chat messages I receive in a month.

40 **[Remainder of this page intentionally left blank. Signature page to follow.]**
41
42
43
44
45

1 I declare pursuant to the laws of perjury of the United States of America that the
2
3 foregoing is true and correct.
4

5
6 DATED this 6th day of January, 2021 at Hanover, Minnesota.
7
8
9

10 _____
11 Katherine Paulson
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

1 I declare pursuant to the laws of perjury of the United States of America that the
2
3 foregoing is true and correct.
4
5

6 DATED this 6th day of January, 2021 at Hanover, Minnesota.
7
8

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Katherine Paulson

SUPPLEMENTAL DECLARATION OF KATHERINE
PAULSON IN SUPPORT OF DEFENDANTS' MOTION TO
DISMISS - 4

GORDON	600 University Street
TILDEN	Suite 2915
THOMAS	Seattle, WA 98101
CORDELL	206.467.6477